UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FRED CHRISTIAN,	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. 4:08CV1423 JCH
	)	
FRANK BOMMARITO OLDSMOBILE, INC.	)	
d/b/a BOMMARITO INFINITI,	)	
	)	
Defendant(s).	)	

ORDER

This matter is before the Court on Defendant's Motion for Protective Order Regarding Plaintiff's Deposition Notices for (1) Frank Bommarito, (2) Charles Wallis, (3) Joe Wolk, and (4) John Bommarito, filed June 11, 2009. (Doc. No. 110).[1] In its Motion, Defendant seeks a protective order to prevent the depositions of Frank Bommarito, Charles Wallis, Joe Wolk, and John Bommarito, currently set for June 18, 2009. Defendant asserts that Frank Bommarito and John Bommarito lack personal knowledge regarding the allegations of Plaintiff's Complaint. Defendant also states that Plaintiff's deposition notices fail to follow the requirements of Fed.R.Civ.P. 30(b)(3)(A) and 30(b)(5)(A). Plaintiff's deposition notices do not state the method for recording the deposition testimony in violation of Fed. R.Civ.P 30(b)(3)(A). Further, Plaintiff has indicated that he may not have an officer appointed or designed under Rule 28 attend the depositions in violation of Fed.R.Civ.P. 30(b)(5)(A).

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[1]To date, Plaintiff has not responded to this Motion. Given that these depositions are schedule for Thursday, June 18, 2009, the Court issues its Order prior to the deadline for Plaintiff to file his response.

The Court grants Defendant's Motion for a Protective Order. Plaintiff must provide deposition notices to Defendant that comply with Fed.R.Civ.P. 30(b)(3)(A) and 30(b)(5)(A).[2]

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion for Protective Order Regarding Plaintiff's Deposition Notices for (1) Frank Bommarito, (2) Charles Wallis, (3) Joe Wolk, and (4) John Bommarito (Doc. No. 110) is **GRANTED**.

Dated this <u>15th</u> day of June, 2009.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE

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[2]Because the Court resolves this Motion based upon its application of Fed.R.Civ.P. 30(b)(3)(A) and 30(b)(5)(A), the Court need not address whether Defendant should be permitted to depose Frank and John Bommarito.